

# COLAB SAN LUIS OBISPO COUNTY

WEEK OF JUNE 23-29, 2013

**NO BOARD OF SUPERVISORS MEETING ON TUESDAY  
JUNE 25<sup>TH</sup> 2013**

**SB 510 (PROPERTY RIGHTS ISSUE)  
(BOARD ON SPLIT VOTE ENDORSES MORE SOCIAL ENGINEERING)**

**BOARD APPROVES PLANNED DEVELOPMENT  
ORDINANCE**

**Board of Supervisor's Meeting of Tuesday, June 18<sup>th</sup>, 2013 (Completed)**

**Item 5 - Mobile Home Park Conversion Barrier Legislation Endorsed.** The Board voted 3/2 (Mecham abstaining and Arnold no) to endorse SB 510, which would, if adopted, allow city councils and boards of supervisors to reject mobile home conversions to resident ownership if the residents were opposed. The Board Chair will send a letter to Assemblymen Achadian supporting SB 510 (Jackson).

COLAB pointed out that:

1. It is an attack on the ability of private property rights of the current owner of the land and parking slabs to convert the property to a resident owned park by authorizing special consideration of the financial interests of the current residents.
2. In turn, it effectively places the current park owner at a disadvantage in any negotiations about the terms of the conversion and effectively injects the local land use authority into those negotiations.
3. It violates the Board's legislative program policy of local control by endorsing a new State restriction intrusion on the land use decision authority of local governments.

COLAB further pointed out that manufactured housing provides an excellent opportunity for the creation of affordable housing. COLAB suggested that the Board, instead of interfering with the free market place and property rights, should revise its land use regulations and proactively promote the creation of more mobile home parks.

Supervisor Bruce Gibson retorted "I'm proud to say this County has some of the most stringent protections (for maintaining mobile home parks) in the state." He went on to

say, “This bill is absolutely warranted.” He further stated that “these policies put a lot of mobile home park owners in a bind.” But they also “forestall owners from receiving obscene profits.”

**Background:**

*This bill would provide that the local agency is required to consider the results of the survey in making its decision to approve, conditionally approve, or disapprove the map, and that the agency is authorized to disapprove the map if it finds that the results of the survey have not demonstrated the support of at least a majority of the park’s homeowners. This bill would provide that local legislative bodies may begin insert, by ordinance or resolution, end insert implement the survey requirements.*

*This bill would set forth the findings and declarations of the Legislature that the changes made by this act do not constitute a change in, and are declaratory of, existing law, and would state the intent of the Legislature to clarify the intent of certain provisions of the act.*

The operative text in the Bill states:

*(5) The results of the survey shall be submitted to the local agency upon the filing of the tentative or parcel map, to be considered in the agency’s decision as to whether to approve, conditionally approve, or disapprove the map, and the agency may disapprove the map if it finds that the results of the survey have not demonstrated the support of at least a majority of the park’s homeowners.*

**Item 47 - Formal Adoption of the FY 2013-14 Budget.** The Board unanimously adopted the Budget. This means that the County’s existing priorities and strategic direction remain in place. The Board believes that the County finances are sound, levels of service adequate, and underlying strategic and economic planning sound. The ability to sustain this view will, in large part, depend on the ability of the County to convince its unions to accept continuation of wage cost of living and benefit freezes indefinitely into the future. Current contracts with its unions are expiring and negotiations beginning. Other uncertainties include the costs of implementing the Affordable Care Act (Obama Care), pension costs, and the impacts of the State government, education system, and local government aggregate debt.

Further details and questions and be found at:

[http://www.colabslo.org/prior\\_actions/2013-14\\_SAN\\_LUIS\\_COUNTY\\_BUDGET.pdf](http://www.colabslo.org/prior_actions/2013-14_SAN_LUIS_COUNTY_BUDGET.pdf)

**Item 52 - Planned Development Ordinance Adopted.** The Board unanimously adopted the Planned Development Ordinance, which promises to make it easier to obtain approval of developments that are more compact and clustered together inside the urban and village limit lines of the unincorporated area. The promises include more “certainty” for developers and village residents as well as more “flexibility and better design.” There was no indication if it would allow Planning to process applications more efficiently (i.e. faster and with lower fees and exactions). Homebuilders, affordable housing advocates, and former Supervisor Patterson supported the ordinance. In supporting the ordinance Patterson pointed out that it would help “reduce pressures on urban sprawl.”

COLAB asked why values of more certainty, flexibility, and expedited processing couldn't be applied to other forms of development such as single-family freestanding houses, ranchettes, and so forth.

The problem is that doctrinaire prejudice against “urban sprawl” has become part of the overall leftist catechism. In reality, “urban sprawl” is part of the essence of the American dream of having a single-family freestanding home with a yard and privacy without the annoyance of urban congestion. For over 100 years it has been a major engine of democratization, economic and social progress, educational choice, and safety. One need only reflect on the “sprawling” neighborhoods of the Los Angeles metro area (and its other 101 incorporated cities) over the past 100 years. Once one is off the major arterials (and freeways), there are hundreds of square miles of quiet neighborhoods containing a variety of distinctively designed homes (reflective of different historic eras) on quiet tree lined streets. Flowers and citrus trees proliferate. Mothers push strollers. Grandmas feed squirrels (real ones - not ground squirrels), and dogs and cats lounge everywhere. There are back yards and front yards, garages, etc. Generations have passed through these neighborhoods.

The houses shown below are all part of LA “sprawl.” Note, we omitted Brentwood.



Watts Homes



East LA Home



Culver City Street: This was pre WW II “Sprawl”



Reseda: 1950’s Sprawl- Note Amenities- privacy and light parking on street.

Should the generations that have benefited from these “sprawl” homes be condemned to live in mega “ smart growth blocks”?



German “Smart Growth Block.” Note unused “common” open space. They apparently don’t barbeque.

**The Policy Issue:** Since the County has adopted the “smart growth policy,” which seeks to reduce development in suburban and rural areas, it must develop tools to facilitate its concentration in existing cities and unincorporated towns and villages. Thus some benefits of the ordinance, which are important to builders and perhaps to the residents of the receiving communities, are not as important as its overall use as an implementation tool of the “smart growth” doctrine itself.

COLAB asked why values of more certainty, flexibility, and expedited processing couldn’t be applied to other forms of development such as single-family freestanding houses, ranchettes, and so forth.

**Background:** The theory is that the new, more compact development concentrated in urban and village areas will require less long-range automobile commuting; will encourage walking and biking to schools, recreation and shopping; will encourage the use of mass transit; will provide housing “choices;” and will promote economic and social equity. The major benefit claimed is that the new pattern of living will cause people to use less fossil fuel for commuting, lighting, heating, and cooling, thereby reducing CO2 emissions and slowing global warming. It is asserted that such development will also use less water than traditional freestanding houses on larger lots with yards and private gardens. The staff write-up, which was included in the Planning Commission record, is explicit that the ordinance is designed to promote “smart growth.”

*The proposed ordinance amendments will encourage more creative and innovative site design and higher quality architecture for proposed planned developments. The proposed ordinance will help to implement the Strategic (smart) Growth principles in development consistent with the Policy in the Housing Element including providing a wider range of housing choices and mix of uses. The ordinance includes measures to ensure compatibility with existing adjacent residential land uses.*

It is also specific that it is a social engineering document as outlined in the paragraph below. When questioned on the record, the staff spokesmen evaded the question and said that its purpose is to provide workforce housing. The Commissioners accepted the non-answer and did not press the issue.

*The proposed ordinance amendments will help to implement a balance between environmental, economic and social equity concerns. The ordinance will maintain the flexibility that makes a Planned Development more compatible with the neighborhood, more financially feasible for the builder, and responsive to more desirable characteristics such as walkability, energy efficient, and water-conserving while providing more predictability for both developers and the community.*

**Item 53 - Los Osos Sewer System Contracts and Budget Changes.** The Board received a report on the status of the Los Osos Sewer System project. It also approved requests for substantial amendments to several engineering contracts. A number of problems are being encountered, including but not limited to:

- Almost 1000 residents have asked that the location of their sewer lateral (the pipe from the main in the street to their house) be changed. Many more requests are expected.
- The locations of various utilities under the streets have been found to be different from the project planning maps.

These two issues have now required that the contract for the collection system design services be increased from \$4 million to \$6.2 million.

Separately and, in addition, the Board approved expansion of several other contracts and was told to expect the need to expand other contracts related to street repaving and water recycling facility storage ponds. The Board also authorized the Public Works Department to enter into a contract with the State Water Resources Board for funding to provide “mini loans” (\$15,000,000 in aggregate) to residents who are having trouble affording the cost of installing the lateral pipes that connect their house to the main pipe in the street.

**No Board Meeting on Tuesday, June 25, 2013**

The Board will not meet on Tuesday, June 25, 2013.

**Planning Commission of Thursday, June 27, 2013 (Cancelled)**

A notice cancelling the meeting has been posted. Presumably there are no items ready for Commission consideration. The next meeting is scheduled for Thursday, July 11, 2013.